

PLANNING COMMISSION

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Candis Wood, Vice Chair
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Huston Carlyle, Commissioner
Peggy White, Commissioner

CITY PLANNER
Karen Mantele

MINUTE CLERK



201 North Lassen Street
Willows, CA 95988
(530) 934-7041

PLANNING COMMISSION MEETING AGENDA

Wednesday May 15, 2013

7:00 p.m.

1. **Call to Order - 7:00 p.m.**
2. **Pledge of Allegiance**
3. **Roll Call**
4. **Agenda Review:** (Requested Changes by Commissioners or Staff?)
5. **Public Comment:** Persons wishing to speak on a matter *not on the agenda* may be heard at this time; however, no action will be taken unless placed on a future agenda. (*Public Comments are generally restricted to three minutes.*)
6. **New Business/** Persons wishing to speak are asked to approach the microphone to address the Commission. Although not required, it is requested that you please state your name for the record.

PUBLIC HEARING

a) **Use Permit -File #UP-13-02 - Applicant/Owner:** Awesome Monam Ayaan & Gurdev K. Johl/Peter Bollinger Investments
Assessors Parcel Number 001-032-016; 1300 W. Wood Street: Highway Commercial zoning district;
Highway Commercial land use designation

Awesome Monam Ayaan & Gurdev K. Johl, have requested approval of a Use Permit to allow establishment of an automobile/equipment rental business to be located on the subject property

b) **Advisory Request** for a possible automated car wash business located on the subject parcel at 1261 W. Wood St. APN. 005-370-004

7. **Review and Discuss samples of Multi-Family Design Review Guidelines per Joint PC/CC meeting discussion**
8. **Commission Commentary**
9. **Adjournment**

CERTIFICATION: Pursuant to Government Code § 54954.2 (a), the agenda for this meeting was properly posted on or before May 10, 2013.

A complete agenda packet, including staff reports and back-up information, is available for public inspection during normal work hours at City Hall or the Willows Public Library at 201 North Lassen Street in Willows or on the City's website at www.cityofwillows.org. In compliance with the Americans with Disabilities Act, the City of Willows will make available to members of the public any special assistance necessary to participate in this meeting. The public should contact the City Clerk's office 934-7041 to make such a request. Notification 72 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting.

The City of Willows is an Equal Opportunity Provider

Planning Commission Agenda Report: May 15, 2013

Project: Conditional Use Permit (File UP-13-02)
Establish an Automobile/equipment rental business
Applicant(s)/Owner: Awesome Monam Ayaan & Gurdev K. Johl/Peter Bollinger,
Investments/Northgate Petroleum Co
Project Location: 1300 W. Wood Street, Willows, CA
Parcel No: 001-032-016
Zoning: Highway Commercial (HC)
General Plan Highway Commercial

Project Description

The applicants, Awesome Monam Ayaan & Gurdev K. Johl, have submitted a Use Permit application to allow establishment of an automobile/equipment rental business within an existing commercial building (a.k.a. Shell Gas Station). The business would entail renting out vehicles for individuals who desire to haul items from one location to another. The applicants feel this type of business would be suitable in this zone for the local and highway traveling public. Two trucks will be onsite and parked in the rear of the lot. The applicant also requests a 2' x 4' sign to advertise the business which will be attached to the building. The overall purpose of the business is to offer individuals coming in and to those living in the community, another retail service that is not available at the present time.

Review Process

This matter is before the Planning Commission pursuant to Section(s) 18.65.030(1) and 18.135.040 of the City of Willows Municipal Code.

Zoning

The project site is zoned Highway Commercial (HC), which allows a list of various permitted uses, none of which include the type of proposed business. However under Section 18.65.030(1), it states, *Additional highway commercial uses will require a conditional use permit only if the planning commission finds that the type of use is necessary for servicing the traveling public.*

The proposed use permit is being brought before the Commission under this code section to determine whether it is the type of use which is necessary for servicing the traveling public. This site has been used as an Automobile Service Station since 1967. There are commercial uses located north, south, and east of the subject property. Interstate I-5 is located to the west of the site. The surrounding zoning is Highway Commercial.

General Plan Consistency

The General Plan Land Use designation for this site is Highway Commercial pursuant to the City's General Plan Land Use Map. The proposed use is consistent with this designation, which allows for a commercial uses that primarily serve travelers at Interstate 5 access points.

Project Analysis:

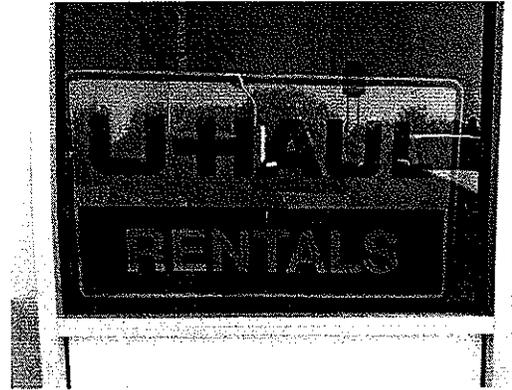
Parking:

The applicants propose to park two vehicles (trucks) in the rear of the lot, leaving room for passage and also not to obstruct views along the frontage or take up parking for the service station business. The applicant states they will not need additional vehicles, as they will also arrange for individuals in other areas along I-5 to pick up trucks and/or vehicles from other locations, so a good portion of their business will be done by phone. There are several parking spaces along the existing structure that can be shared

with the service station parking needs. Therefore, no additional parking should be required. The Chief of Police comments were whether the area will be fenced as concern is for vandalism and or vagrancy use. The applicant stated to staff that the vehicles are locked when not in use and the area in the rear has lighting. Additionally since the submittal of this application, CalTrans has removed the high bushes adjacent to this property, allowing for higher visibility and a deterrent to vagrancy/vandalism.



Trucks in Rear of Lot



Proposed Signage

Signage:

The applicant proposes to attach one (1) 2' by 4' metal business sign (see picture) onto the east side of the building facing Humboldt Street. The applicant discussed with staff whether the city would allow other signage, such as banners to advertise the business. The applicant however was agreeable to keeping the signage to a minimum since the trucks itself could be considered advertising.

Per the Comprehensive Sign Code, this property would be allowed one pole sign (*which this property has*), up to 136.5 square feet of identity signage (*which is exhausted by the new Shell monument sign*), and 60 square feet of incidental signage, defined as *Incidental sign" means a sign pertaining to and advertising goods, prices, products, services or facilities which are available on the premises. Such signing is in addition to the main identity signing"*.

There is a gas price sign of approximately 18 SF, which is considered incidental signage. There are other small signs that advertise the types of gasoline and are considered temporary incidental signage as they are removed and replaced with other advertising every few months. Taking into consideration that the trucks are considered advertising and according to the MC under Prohibited Signs, (12) *Display of vehicle signs (when parked or stored on property or street for the purpose of identifying a business or advertising a product or service) in excess of eight square feet and when the vehicle is parked in the same general location (such as the same block face) for a period exceeding 72 hours.* This is clearly an area where the code section and the situation conflict. As part of this Use Permit application the applicant is asking for signage to advertise the business. It is the decision of the Commission as to how much signage they would allow for this secondary business on the property.

The project was reviewed internally by city departments for comments/conditions which proposed conditions are reflected with those comments.

Environmental Review and Analysis

The project has been reviewed pursuant to the California Environmental Quality Act (CEQA). City staff has determined that the proposal is exempt from further CEQA pursuant to CEQA Section 15301, Class 1, Existing Facilities.

Findings of Fact

Based upon the facts and conclusions contained within this staff report the following findings must be made in order to approve the applicant's request:

1. That the use is consistent with the purposes of the district in which the site is located.
2. That the proposed location of the use and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity.
3. That the proposed use is in conformance with the General Plan.

STAFF RECOMMENDATION:

Staff recommends adoption of the attached resolution recommending Use Permit approval for establishment of an automobile/equipment rental business within an existing commercial building, subject to the conditions of approval as shown in Attachment #2.

PLANNING COMMISSION OPTIONS:

- 1) Recommend approval of the Use Permit proposal and subject to Conditions of Approval as described in Attachment 2
- 2) Deny the application with appropriate findings for denial

Attachments:

1. Draft Planning Commission Resolution
2. Proposed Conditions of Approval
3. APN map

Submitted by:

Karen Mantele
Principal Planner

**THE APPLICANT IS REMINDED THAT THERE IS A 10 (TEN) DAY APPEAL PERIOD FOLLOWING
THE PLANNING COMMISSION DECISION**

PC RESOLUTION NO. _____-2013

A RESOLUTION OF THE PLANNING COMMISSION OF THE CITY OF WILLOWS APPROVING A USE PERMIT APPLICATION (UP-13-02) FOR AWESOME MONAM AYAAN & GURDEV K. JOHL TO ESTABLISH AN AUTOMOBILE/EQUIPMENT RENTAL BUSINESS WITHIN AN EXISTING COMMERCIAL BUILDING AND TO ALLOW ADDITIONAL SIGNAGE FOR PROPERTY LOCATED AT 1300 W. WOOD STREET, ASSESSORS PARCEL NUMBER 001-032-016

WHEREAS, the applicant(s), Awesome Monam Ayaan & Gurdev K. Johl have filed a Conditional Use Permit application to establish an automobile/equipment rental business within an existing commercial building and to allow additional signage for the business and,

WHEREAS, notices of the Planning Commission meeting held on May 15, 2013, were published in a newspaper of general circulation in the City in accordance with law, and mailing to property owners within 400 feet were sent; and,

WHEREAS, the Planning Commission did, on May 15, 2013, hold a public hearing to consider all public oral and written comments, letters and documents, staff reports, and all other documents and evidence which are a part of the Record; and,

WHEREAS, the Planning Commission has reviewed all evidence submitted in connection with the application, including public testimony, staff report, supporting documentation, City codes and regulations, and all other relevant documents and evidence which are part of the record of proceedings; and,

WHEREAS, the Planning Commission finds that the proposal is considered exempt from the Californian Environmental Quality Act (CEQA) pursuant to Section 15301, Class 1, Existing Facilities, and

WHEREAS, the Planning Commission does finds that the proposed use is consistent with the purposes of the district in which the site is located, as an automobile/equipment rental business is considered an additional highway commercial use that is necessary for the traveling public and allowed within the Highway Commercial District with a Conditional Use Permit per WMC section 18.65.030(1) and

WHEREAS, the Planning Commission does find that the proposed location of the use and the conditions under which it may be operated or maintained will not be detrimental to the public health, safety, or welfare or materially injurious to properties or improvements in the vicinity, as the two trucks will be located in the rear of the lot so as not to inhibit line of site or parking, are kept locked and the conditions of approval to allow the use have been included in the approval of this project to ensure the safety and welfare of the public are met; and

WHEREAS, the Planning Commission does find that the proposed use is in conformance with the General Plan, as the property is located within the Highway Commercial designation, which allows for commercial uses that primarily serve travelers at Interstate 5 access points.

NOW THEREFORE, BE IT RESOLVED, that the Planning Commission of the City of Willows does hereby find that the Use Permit proposal to establish an automobile/equipment rental business and additional signage for the business is consistent with the City of Willows General Plan, the City of Willows Municipal Code, and hereby approves Use Permit File #UP-13-02, subject to the attached conditions of approval set forth in Attachment #2; and,

IT IS HEREBY CERTIFIED that the foregoing Resolution was duly adopted at a regular meeting of the Planning Commission of the City of Willows on Wednesday, the 15th day of May, 2013, by the following vote, to wit:

AYES _____
NOES _____
ABSTAIN _____
ABSENT _____

APPROVED: _____
Kerri Warren, Chairperson

ATTEST: _____
Recording Secretary

**USE PERMIT CONDITIONS OF APPROVAL FOR
AWESOME MONAM AYAAN & GURDEV K. JOHL TO ESTABLISH AN
AUTOMOBILE/EQUIPMENT RENTAL BUSINESS
FOR PROPERTY LOCATED AT 1300 W. WOOD STREET
ASSESSORS PARCEL NUMBER 001-032-016**

PC approval date: _____, 2013

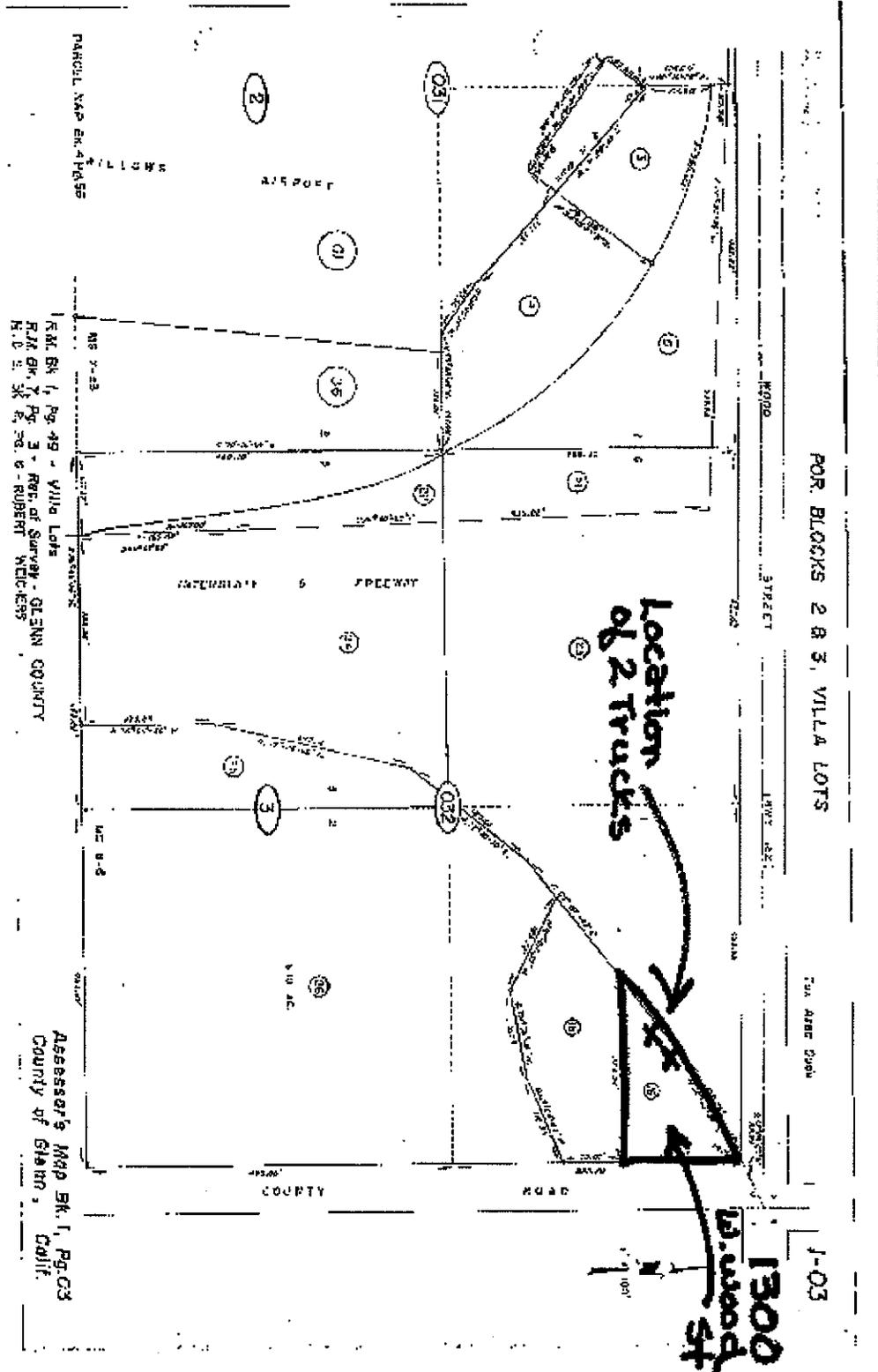
General

1. That the applicant/developer shall enter into a Pass Through Agreement with the City of Willows to pay the cost of all planning review, plan checking and field inspection of this development.
2. If the use is not made on the project subject to the permit within one (1) year after the date of granting the permit, then without further action, the permit shall be null and void and such use shall not be made of the property except upon the granting of a new permit.
3. This use permit is void one (1) year after the use permitted by such permit is discontinued.
4. All plans for additional uses, which are not covered by this review, shall be submitted to the City Manager/Planning Commission for review and approval prior to use.
5. Signage for the business is limited to a total of ten (10) square feet and shall be placed against existing commercial building.
6. Two trucks for lease shall be allowed and parked in the rear of the lot (west side).

Building Department

7. If any improvements are proposed as a result of this CUP being granted, the applicant/owner shall comply with all applicable Federal, State and local codes and ordinances.

APN Map



Planning Commission Agenda Report: May 15, 2013

Advisory Request	Automated Car Wash Business
Subject Property Location:	1261 W. Wood Street/Vacant Parcel, Willows, CA
Parcel No:	005-370-004
Zoning:	CH (Highway Commercial)
General Plan	Highway Commercial

Proposal:

Mathew Amaro, on behalf of the property owner Russell Morgan, contacted Planning Staff to find out if establishing an automated car wash business on the vacant lot where the former Radio Shack building was located was an allowed use within the Highway Commercial zoning district. The proposal would be to have a single drive through design car wash with multiple vacuum stations. There would be no employees required for the operation of the business. (See attached letter)

Zoning/ General Plan

The project site is zoned Highway Commercial, which allows for *motels and hotels, automobile service stations, restaurants, cafes, convenience stores, and office space* as permitted uses and under uses permitted with a conditional use permit, *additional highway commercial uses only if the Planning Commission finds that the type of use is necessary for servicing the traveling public.*

The Municipal Code does not speak to "car washes" per se as a permitted use in any district. Mr. Amaro argued on behalf of his client that service stations are permitted in the district, and defined as such, *Service station" means a place which provides for the servicing, washing, and fueling of motor vehicles, including minor automobile repairs, and sales of merchandise incidental thereto.* Because of the lack of clarity in the Municipal Code regarding where car washes would be allowed, the Planning Commission is being asked for direction.

The General Plan Land Use designation for this site is Highway Commercial which under 6.2 of the Land Use Element allows for commercial uses that primarily serve travelers at Interstate 5 access points with allowed uses listed as service stations, restaurants, motels, convenience stores, and offices.

STAFF RECOMMENDATION:

Provide direction to staff after discussion and determination of the proposal.

Attachments:

1. Letter from Mr. Amaro
2. CH (Highway Commercial) zoning district excerpt
3. APN map

Submitted by:

Karen Mantele
Principal Planner

MATHEW AMARO DESIGNS

453 NORTH MURDOCK STREET WILLOWS CALIFORNIA 95988 PH:530.592.9912

Karen Mantele, Planning Consultant
City of Willows Planning
201 N. Lassen St.
Willows, CA 95988

April 26, 2013

RE: **1261 W. Wood St. APN. 005-370-004 Russell Morgan: owner**

Dear Ms. Mantele,

Please accept this letter as a request for Advisory Review by the planning commission for a possible automated car wash business located on the subject parcel. This parcel is currently zoned as a CH designation. While we are in the early stages of this project the business plan will include a single drive through design along with multiple vacuum stations. No full time employees will be required for the operation of the business. The Owner would like to know if the commission will accept a car wash as a permitted use under the CH Zone designation or if a Use Permit hearing along with Design Review will be required before moving forward with building permit application.

It is my understanding that this review item can be placed on the May 15th Planning Commission agenda for advisory review. Please call me if you have any requirements regarding this matter.

Sincerely,

Mathew Amaro

cc: Russell Morgan, owner

**Chapter 18.65
CH HIGHWAY COMMERCIAL DISTRICT**

Sections:

- 18.65.010 Purpose.
- 18.65.020 Permitted uses.
- 18.65.030 Uses permitted with a conditional use permit.
- 18.65.040 Other regulations.

18.65.010 Purpose.

The highway commercial or CH district is intended to be applied along main roads and highway frontages in order to provide necessary services for the traveling public. [Ord. 632-91 § 17.01, 10-22-91].

18.65.020 Permitted uses.

The following uses and structures are permitted in the CH district:

- (1) Motels and hotels.
- (2) Automobile service stations.
- (3) Restaurants and cafes.
- (4) Convenience stores.
- (5) Office space. [Ord. 632-91 § 17.02, 10-22-91].

18.65.030 Uses permitted with a conditional use permit.

The following uses and structures may be permitted in the CH district only if a conditional use permit has first been secured:

- (1) Additional highway commercial uses will require a conditional use permit only if the planning commission finds that the type of use is necessary for servicing the traveling public.
- (2) All permitted uses set forth in WMC 18.60.020. [Ord. 664-00 § 17.03, 6-27-00; Ord. 632-91 § 17.03, 10-22-91].

18.65.040 Other regulations.**(1) Commercial Uses.**

- (a) Minimum lot area: 5,000 square feet.
- (b) Minimum Yard Requirements.

- (i) Front: none.
- (ii) Side: none.

(iii) Rear: 12 feet where accessible from street or alley for loading purposes. Building may project over rear yard area, providing 14 feet clear vertical distance from ground level is maintained. Building code and other regulations shall apply.

(c) Maximum building height: 35 feet. Additional height may be permitted if a use permit is secured in each case.

(d) Loading Space. Private off-street space for the handling of all materials and equipment.

(e) Minimum Parking. Off-street parking shall be provided in an amount in accordance with the regulations of Chapter 18.120 WMC. [Ord. 632-91 § 17.04, 10-22-91].

At the April 9, 2013 Joint Planning Commission/City Council workshop, the Commission expressed the desire to implement R-3/Multi-Family Residential Design Guidelines. Staff was directed to bring to the Commission several samples of other city's Multi-family Design Guidelines to start the review process. Staff has obtained samples from four cities for the Commission to review.

The Willows Municipal Code, Section 2.45 Architectural Design Review, spells out the criteria for Design Review Approval, however is not specific to multiple family residential developments. There are two districts in the City which have specific Design Standards; Downtown Willows and the Entryway zone. The samples that are attached to this report vary in length and depth of the requirements for residential development of residential multi-family units.

STAFF RECOMMENDATION:

Provide direction to staff after discussion and determination of the proposal.

Attachments: (Due to volume, attachments are not a part of the report. A public copy is available for review at City Hall or upon request)

1. City of West Sacramento Single Family/Multi-Family Design Criteria
2. City of Santa Rosa Multiple Family Residential Design Guidelines
3. City of Santa Rosa Neighborhood Design
4. City of Cloverdale Design Standards
5. City of Lincoln

Submitted by:

Karen Mantele
Principal Planner